

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: 8-222318

DATE: March 24, 1986

MATTER OF: Prudential Lines, Inc.

DIGEST:

General Accounting Office will not review protest that contracting agency should procure item from the protester on a sole-source basis.

Prudential Lines, Inc. protests the decision by the Department of Transportation, Maritime Administration, not to award a sole-source contract to Prudential for acquisition of a ship for training state maritime academy cadets. We dismiss the protest.

According to the protester, the Maritime Administration is authorized to acquire ships to be used for training cadets at the state maritime academies. The procurement at issue in this case is for a replacement training vessel at the State University of New York Maritime College. The protester states that the Maritime Administration has decided not to award it a sole-source contract for the ship, even though Prudential owns the only available ship which will meet the university's needs. Specifically, Prudential contends that its ship, the Santa Maria, is the only available vessel suitable for conversion to a training vessel, citing a 1983 design study and a 1985 market survey by the Maritime Administration as support for its position. Prudential also states that acquiring the Santa Maria, a sister ship of a training vessel at the Massachusetts Maritime Academy, is consistent with the Maritime Administration's policy of acquiring sister ships in order to facilitate maintenance and minimize the cost of equipment and replacement parts.

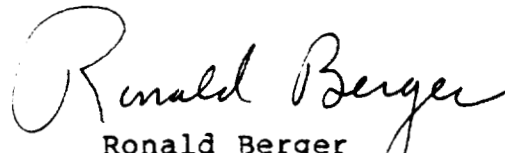
As a preliminary matter, the protest appears to be premature since there is no evidence that the Maritime Administration has decided conclusively not to acquire the ship on a sole-source basis from Prudential. The protester does not state that a competitive solicitation for the ship has been issued and offers no other evidence that the

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Maritime Administration has made a final decision on the method of acquisition.

Even assuming that the Maritime Administration has decided to procure the ship on a competitive basis, however, Prudential's contention that it should receive a sole-source award is not an issue that we will consider under our bid protest function. The objective of our bid protest function is to promote full and open competition for government contracts consistent with the Competition in Contracting Act of 1984, Pub. L. No. 98-369, title VII, 98 Stat. 1175. As a result, we generally do not review protests that an agency should procure an item from a particular firm on a sole-source basis. Allied Bendix Aerospace, B-218869.2, June 6, 1985, 85-1 CPD ¶ 651. This is so even where the protester maintains that it is the only firm that can provide the item being procured. See Marker-Modell Associates, B-215049, May 25, 1984, 84-1 CPD ¶ 576.

The protest is dismissed.


Ronald Berger
Deputy Associate
General Counsel